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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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DEC 16 2002

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations.
(Milford, Utah)

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MB Docket No. 02-331
RM-10589

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

TO: John A. Karousos
Assistant Chief, Audio Division
Office of Broadcast License Policy
Media Bureau

COUNTERPROPOSAL OF CRAIG MORRIS

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December 16, 2002

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List ARGUE

1. Craig Morris hereby submits this Counterproposal in response to the Notice of Proposed Rule Making (“*NPRM*”), DA 02-2814 released October 25,2002, in the above-captioned proceeding. **Mr.** Morris proposes the creation of a new FM allotment at Enterprise, Utah. which would be mutually exclusive with the allotment proposed in the instant proceeding for Milford, Utah. In addition, Mr. Morris proposes certain modifications of the Table of Allotments, as reflected on the next page:

Community	Channels	
	Present	Proposed
Enterprise, Utah	-----	289C3
Milford, Utah	288C2 (proposed)	282C2
Dolan Springs, Arizona	224C, 289C	224C, 288C
Cal-Nev-Ari, Nevada	285A	292C3
Las Vegas, Nevada	222C, 226C, 242C, 246C, 253C, 270C, 278C, 286C2, 293C	222C, 226C, 242C, 246C, 253C, 270C 278C, 286C2, 294C
Overton, Nevada	295C1	272C1
Pahrump, Nevada	236A, 298C 272C (proposed)	236A, 298C, 290C
Parowan, Utah	300C2, 272C2 (proposed)	300C2, 294C2
Peach Springs, Arizona	285C3 (proposed)	292C3
Amargosa Valley, Nevada	266A, 29 IC1 (proposed)	266A, 296C1
Tecopa, California	291A	272A

Preliminary Matters

2. The instant counterproposal proposes changes in the operating channels currently utilized by two stations, Station KOAS(FM), Dolan Springs, Arizona, and Station KSNE-FM, Las Vegas, Nevada. In addition, the counterproposal proposes changes in modified allotments which have already been proposed with respect to Stations KJJJ(FM), Lake Havasu City, Arizona (proposed to move to Pahrump, Nevada) and KPUP(FM), Amargosa Valley, Nevada. Morris hereby states that he will reimburse the licensees of all of the affected stations for the

changes required to be made to their facilities.¹

3. The Commission has stated that it will not require substitutions of more than two channels occupied by existing stations. *Columbus, Nebraska*, 59 R.R.2d 1185 (1986). Here, only two channels currently occupied by existing stations (*i.e.*, Stations KOAS(FM) and KSNE-FM) would be subject to substitution. Accordingly, this counterproposal complies with the *Columbus* policy. See also *Castle Rock, Colorado, et al.*, 8 FCC Rcd 4475 (1993); *Farmersville, Texas*, 12 FCC Rcd 4099 (1997). *recon. dismissed*, 12 FCC Rcd 12056 (1997).²

4. Mr. Morris also hereby states that, should the Commission amend the table of allotments as requested herein, he intends to file an application for the new allotment and for the revise Cal-Nev-Ari allotment and, if those applications are granted, to construct the facilities expeditiously.

¹ Reimbursement will be made directly by Mr. Morris. As the ultimate beneficiary of the channel changes proposed herein, Mr. Morris will be responsible for all reimbursements.

² Morris's proposal also contemplates the possible relocation of Stations KPUP(FM) and KJJJ(FM). Station KPUP presently occupies Channel 266; its continued operation on that channel would not be affected at all by Mr. Morris's counterproposal. However, in a counterproposal submitted in MM Docket No. 01-135, the substitution of Channel 291 for Channel 266 in Aniarogosa Valley, and the consequent relocation of Station KPUP to Channel 291, have been proposed. That substitution, were it to be adopted, would conflict with Mr. Morris' counterproposal.

Additionally, the licensee of Station KJJJ(FM) has a construction permit to move its transmitter site and operate as a Class B station, and it recently submitted a petition for rulemaking seeking the relocation of its station to Pahrump, Nevada, to operate on Channel 272C. Again, were the construction permit facilities to be built, or were the proposed channel relocation to be adopted, it would conflict with Mr. Morris's counterproposal.

No consent from either Station KPUP(FM) nor Station KJJJ(FM) is required under *Columbus, Nebraska*, since Mr. Morris's counterproposal does not involve the facilities which those two stations are presently occupying. Nevertheless, as demonstrated in the accompanying Engineering Statement, the facilities which have been proposed for those two stations can themselves be modified in a manner which will permit upgrading of those stations' facilities consistent with the already pending proposals. Since the accommodation of Station KJJJ(FM) as set forth in the Engineering Statement would entail a change in that station's location, Mr. Morris has obtained the consent of the licensee of Station KJJJ(FM), a copy of which is included as Attachment B hereto.

Conflict with the *NPRM*.

5. The *NPRM* proposes the allotment of Channel 288C2 to Milford, Utah as its first local aural transmission service. The instant Counterproposal is in conflict with the Milford proposal due to the proposed allotment of Channel 289C3 to Enterprise, Utah. See the Accompanying Engineering Statement, Figure 1. However, no comparison of the relative need for the channel as between those communities is necessary, since Morris is also proposing the allotment of Channel 282C2 at Milford. As a result, Milford would still obtain its first local service, while Enterprise would also receive its first local aural transmission service.

Public Interest Considerations

6. The counterproposal would make possible a first local transmission service in Enterprise, which in and of itself is in the public interest. See *Revision of FM Assignment Policies and Procedures*, 90 FCC2d 88 (1982). Moreover, as set forth in the accompanying Engineering Statement, new 60 dBu service would be brought to 3,350 people through the proposed Enterprise channel, an additional 63,000 people through the proposed upgrade of the Cal-Nev-Ari channel, and an additional 1,265,000 people through the modification of the facilities of Station KJJJ(FM). Clearly, these considerations demonstrate that Mr. Morris's counterproposal would increase the efficient use of the radiospectrum by bring new service to a substantial population.

Compliance with the Commission's Technical Rules

Enterprise, Utah

7. Mr. Morris proposes the allotment of Channel 289C3 to Enterprise as the community's first local service. Enterprise is plainly a community warranting a local radio

service. Enterprise is an incorporated city with a 2002 U.S. Census population of 1,285.³ In the ten years between 1990 and 2000, the population has increased by 349 people, an increase of approximately 37%. See Attachment C.

8. The city of Enterprise is located in northwest Washington County on the south rim of the Great Basin, approximately 40 miles north of St. George. Enterprise is one of the few cities in Washington County that still has an economy based on agriculture and farming. Alfalfa hay, the principle commodity in Enterprise, is shipped to dairies in the Southern California area and exported to Japan.

9. Enterprise is also known for its corn, which is grown both commercially and privately in Enterprise. **The** corn harvest is celebrated annually with the Enterprise Corn Festival, a weekend at **the** end of August featuring games, exhibitions and other community activities (including the consumption of fresh corn on the cob) in the town square.

10. Boating, fishing, hunting, hiking, and rock hounding are all available around the Enterprise Reservoir area. The upper and lower levels of the Reservoir are well-stocked and give visitors a relaxing opportunity to camp and fish in beautiful surroundings. Enterprise is also near the site of the historic Mountain Meadow Massacre and an active silver mine.

11. Enterprise is governed by a City Council/City Manager form of government, including a mayor and five elected council members. The city manager is appointed by the council and is considered a non-voting member of the governing body. Enterprise also has its own city recorder, treasurer, planning commission, water board, sewer department, power

³ Source: www.census.gov/census2000/states/ut.html

department, part-time police department, volunteer fire department, ambulance service, public library and post office.

12. The city of Enterprise also has numerous businesses, including: a bank, a grocery store, a general store, a dry goods store, a used auto sales shop, an auto repair shop, a tire shop, a hardware store, a convenience store, two gas stations, a car wash, a farm supply store, a storage unit, a pawn shop, two cabinet shops, a beauty shop, an upholstery shop, two motels, five Church of Jesus Christ of Latter Day Saints wards, a senior citizen center, an accountant, three trucking companies, a Youth Training Program, and a medical clinic. See Attachment C. Some of these (*i.e.*, Enterprise Valley Medical Clinic and Enterprise Municipal Power) have explicit association by name with Enterprise.

13. There are two schools in the city of Enterprise which are part of the Washington County School District – an elementary school and high school. The elementary school in Enterprise is called Enterprise Elementary (kindergarten through grade 6). The high school is called Enterprise High (Grades 7 through 12). These schools provide a full instructional program for children in grades Kindergarten through 12 and are fully accredited by the State of Utah Department of Education. Students from Enterprise, Escalante Valley, Central, Pine Valley, and Veyo attend both schools. Busing is provided for students.

14. As stated above, the addition of Channel 289C3 will provide Enterprise with its first local aural transmission service. Currently, there are no other commercial or noncommercial stations licensed to Enterprise. Based on the foregoing, it is clear that Enterprise is a community deserving of its own FM channel. Thus, the addition of this allotment at Enterprise will promote the objectives of Section 307(b) of the Communications Act by seeking

to achieve a fair, efficient and equitable distribution of broadcast stations among the various states and communities. 47 U.S.C. § 307(b).

15. Channel 289C3 can be allotted to Enterprise consistently with the Commission's spacing requirements, except for the currently-proposed allotment of Channel 288C2 to Milford. See Engineering Statement, Figure 1. The allotment to Enterprise would provide that community with its first local FM station, a factor which is considered as part of the allotment criteria set forth in *Revision of FM Assignment Policies and Procedures ("FM Assignment Policies")*, 90 FCC2d 88 (1982). As indicated above, should the Commission allot Channel 289C3 to Enterprise, Utah, Morris intends to file an application for use of that channel and, if that application is granted, Morris intends to construct and operate a station on that channel.

Milford, Utah

16. In order to accommodate the proposed allotment of Channel 289C3 to Enterprise, Channel 282C2 is hereby proposed to be substituted for Channel 288C2 at Milford, which is proposed in the *NPRM*. As set forth in Figure 2 of the Engineering Statement, that channel substitution may be effected consistently with the Commission's spacing requirements.

Dolan Springs, Arizona

17. Allotment of Channel 289C3 to Enterprise would conflict with the current allotment of Channel 289C, Dolan Springs, Arizona, occupied by Station KOAS(FM). That conflict can be remedied by substituting Channel 288C for Channel 289C at Dolan Springs. As set forth in Figure 3 of the Engineering Statement, that channel substitution may be effected consistently with the Commission's spacing requirements.

Cal-Nev-Ari, Nevada

18. The substitution of Channel 288C at Dolan Springs would conflict with the vacant

Channel 285A allotment at Cal-Nev-Ari, Nevada. That conflict can be remedied by substituting Channel 292C3 for Channel 285A at Cal-Nev-Ari. As demonstrated in Figure 4 to the Engineering Statement, that substitution can be accomplished consistently with the Commission's spacing requirements, using a new reference point. *See* Engineering Statement.

Las Vegas, Nevada

19. The substitution of Channel 29263 at Cal-Nev-Ari would conflict with the existing allotment of Channel 293C, Las Vegas, Nevada, presently occupied by Station KSNE-FM. That conflict can be remedied by substituting Channel 294C for 293C at Las Vegas. As demonstrated in Figure 5 to the Engineering Statement, that substitution can be accomplished consistently with the Commission's spacing requirements.

Overton, Nevada

20. The substitution of Channel 294C at Las Vegas would conflict with the existing vacant Channel 295C1 allotment at Overton, Nevada. That conflict can be remedied by substituting Channel 272C1 for Channel 295C1 at Overton. **As** demonstrated in Figure 6 to the Engineering Statement, that substitution can be accomplished consistently with the Commission's spacing requirements, using a new reference point. *See* Engineering Statement.

Lake Havasu City/Pahrump, Nevada

21. The substitution of Channel 272C1 at Overton would conflict with the outstanding construction permit of Station KJJJ(FM), Lake Havasu City, Arizona authorizing operation on Channel 272B, as well as that station's pending proposal to relocate Station KJJJ(FM) to Pahrump, Nevada on Channel 272C. Both conflicts can be remedied if Channel 290C is substituted for Channel 272C at Pahrump. Since a proposal to move Channel 272C from Lake Havasu City to Pahrump has already been requested by KJJJ, the instant

proposal would simply require substitution of Channel 290C for Channel 272C2/B. That substitution can be accomplished consistently with the Commission's spacing requirements, using a new reference point. See Engineering Statement.

Parowan, Utah

22. The proposed substitution of Channel 272C1 at Overton would also conflict with the allotment of Channel 272C2 at Parowan, Utah, a proposal for which is presently pending in MM Docket No. 02-14. That conflict can be remedied if Channel 294C2 is substituted for Channel 272C2 at Parowan. That substitution can be accomplished consistently with the Commission's spacing requirements, using a new reference point. *See* Engineering Statement.

Peach Springs, Arizona

23. The proposed substitution of Channel 2886 at Dolan Springs would conflict with the proposed rulemaking to add Channel 285C3 at Peach Springs, Arizona. That conflict can be remedied if Channel 292C3 is substituted for Channel 285C3 at Peach Springs. This substitution can be accomplished consistently with the Commission's spacing requirements.

Amargosa Valley, Nevada

24. The proposed substitution of Channel 290C at Pahrump would conflict with the allotment of Channel 291C1 (as a substitute for Channel 266C1) at Amargosa Valley, Nevada which has been proposed in MM Docket No. 01-135. That conflict can be remedied if Channel 296C1 is substituted for proposed Channel 291C1 at Amargosa Valley. This substitution can be accomplished consistently with the Commission's spacing requirements.

Tecopa, California


25. The proposed substitution of Channel 290C at Pahrump would also conflict with the presently vacant Channel 291A allotment at Tecopa, California. That conflict can be remedied if Channel 272A is substituted for vacant Channel 291A at Tecopa. **As** demonstrated in Figure 7 to the Engineering Statement, that substitution can be accomplished consistently with the Commission's spacing requirements

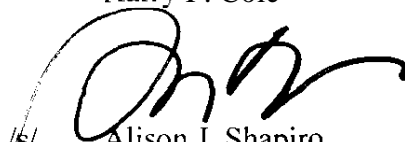
WHEREFORE, for the reasons stated, Craig Morris hereby proposes that the FM Table of Allotments be modified as follows:

Community	Channels	
	Present	Proposed
Enterprisc, Utah	-----	289C3
Milford, Utah	288C2 (proposed)	282C2
Dolan Springs, Arizona	224C, 289C	224C, 2XXC
Cal-Nev-Ari, Nevada	285A	292C3
Las Vegas, Nevada	222C, 226C, 242C, 246C, 253C, 270C, 278C, 286C2, 293C	222C, 226C, 242C, 246C, 253C, 270C 278C, 286C2, 294C
Overton, Nevada	295C1	27261
Pahrump, Nevada	236A, 29XC 272C (proposed)	236A, 298C, 290C
Parowan, Utah	300C2, 272C2 (proposed)	300C2, 294C2
Peach Springs, Arizona	285C3 (proposed)	292C3
Aniargosa Valley, Nevada	266A, 29IC1 (proposed)	266A, 296C I
Tecopa, California	291A	272A

[signatures appear on next page]

Respectfully submitted,


/s/ Harry F. Cole
Harry F. Cole


/s/ Alison J. Shapiro
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December 16, 2002

MULLANEY ENGINEERING, INC.

9049 SHADY GROVE COURT
GAITHERSBURG, MD 20877

ENGINEERING EXHIBIT EE-RM:

COUNTERPROPOSAL - MM DOC 02-331
MILFORD, UTAH

RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS

COUNTERPROPOSAL

ALLOTMENT OF CH. 289C3 AT ENTERPRISE, UT
SUBSTITUTION OF CH. 282C2 IN LIEU OF 288C2 AT MILFORD, UT
(Pending RM Tn Allot Channel in Docket 02-331)
SUBSTITUTION OF CH. 288C FOR 289C AT DOLAN SPRINGS, AZ
UPGRADE **OF** CH. 292C3 FOR 285A AT CAL-NEV-ARI, NV
SUBSTITUTION OF CH. 294C FOR 293C AT LAS VEGAS, NV
SUBSTITUTION OF CH. 272C1 FOR 295C1 AT OVERTON, NV
SUBSTITUTION OF CH. 290C FOR 272C AT PAHRUMP, NV
(Pending R M by KJJJ to Change from Lake Havasu City, AZ)
SUBSTITUTION OF CH. 294C2 FOR 272C2 AT PAROWAN, UT
SUBSTITUTION OF CH. 292C3 FOR 285C3 AT PEACH SPRINGS, AZ
SUBSTITUTION OF CH. 296C1 FOR 291C1 AT AMARGOSA VALLEY, NV
(Pending RM to Substitute Channel in Docket 01-135)
SUBSTITUTION OF CH. 272A FOR 291A AT TECOPA, CA

DECEMBER 14, 2002

Prepared on behalf of

Craig Morris

ENGINEERING EXHIBIT EE-RM:

**COUNTERPROPOSAL - MM DOC 02-331
MILFORD, UTAH**

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

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From RM Ref. Point for Milford, UT.
- 5 Figure 3, Channel Study for Ch. 288C - KOAS
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- 7 Figure 4, Channel Study for Ch. 292C3 - Vacant (upgrade)
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- 14 Figure 11, Channel Study for Ch. 272A - Vacant
From Allotment Ref. Point for Tecopa, CA.

Declaration

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an principal engineer in the firm of Mullaney Engineering, Inc., and that I have provided engineering services in the area of telecommunications since 1977. My qualifications as an expert in radio engineering are a matter of record with the Federal Communications Commission.

The firm of Mullaney Engineering, Inc., has been requested by Craig Morris to prepare the instant engineering exhibit in support of a counterproposal in MM Docket 02-331 regarding the allotment of a new FM channel to Milford, Utah.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

/s/ John J. Mullaney

John J. Mullaney, Consulting Engineer

Executed on the **14th** day of December 2002

ENGINEERING EXHIBIT EE-RM:

COUNTERPROPOSAL - MM DOC 02-331
MILFORD, UTAH

RULE MAKING TO AMEND
FM TABLE **OF** ALLOTMENTS

COUNTERPROPOSAL

ALLOTMENT OF CH. 289C3 AT ENTERPRISE, UT
SUBSTITUTION OF CH. 282C2 IN LIEU OF 288C2 AT MILFORD, UT
(Pending RM To Allot Channel in Docket 02-331)
SUBSTITUTION **OF** CH. 288C FOR 289C AT DOLAN SPRINGS, AZ
UPGRADE OF CH. 292C3 FOR 285A AT CAL-NEV-ARI, NV
SUBSTITUTION OF CH. 294C FOR 293C AT LAS VEGAS, NV
SUBSTITUTION OF CH. 272C1 FOR 295C1 AT OVERTON, NV
SUBSTITUTION OF CH. 290C FOR 272C AT PAHRUMP, NV
(Pending RM by KJJJ to Change from Lake Havasu City, AZ)
SUBSTITUTION OF CH. 294C2 FOR 272C2 AT PAROWAN, UT
SUBSTITUTION OF CH. 292C3 FOR 285C3 AT PEACH SPRINGS, AZ
SUBSTITUTION OF CH. 296C1 FOR 291C1 AT AMARGOSA VALLEY, NV
(Pending RM to Substitute Channel in Docket 01-135)
SUBSTITUTION **OF** CH. 272A FOR 291A AT TECOPA, CA

NARRATIVE STATEMENT:

This engineering statement has been prepared in support of a counterproposal in MM Docket 02-331 which proposes the allotment of Channel 288C2 at Milford, Utah. The purpose of this statement is to provide engineering in support of a counterproposal rule making petition to amend the FM Table of Allotments and when appropriate to modify the license of the station affected **as** follows:

- I. Creation of a new FM allotment at Enterprise, UT (MX with Milford).

Resulting in a 1st local service,

2. Use of an alternate channel at Milford, CA.
3. Channel change of KOAS using Lic site at Dolan Springs, AZ.
- 3.A Channel change of KOAS using App site at Dolan Springs, AZ.
- *4. Channel change/Upgrade of Vacant allotment at Cal-Nev-Ari, NV
(new reference point).
5. Channel change of KSNE using Lic site at Las Vegas, NV.
6. Change channel of Vacant allotment at Overton, NV.
(new reference point).
7. Change channel of KJJJ pending RM to move from Lake Havasu City,
AZ, to Pahrump, NV (new reference point & new channel).
8. Change channel of Pending RM (Doc 02-14) at Parowan, UT.
9. Change channel of Pending RM (Doc 02-12) at Peach Springs, AZ.
10. Change channel of Pending RM (Doc 01-135) at Amargosa Valley, NV.
11. Change channel of Vacant allotment at Tecopa, CA.

*** Mexican Concurrence Required**

One of the proposed changes involve a community within 290 kilometers of the of a United States Border and, therefore, Mexican concurrence is required (*4). Only the proposals to modify the Vacant allotment at Cal-Nev-Ari (4), at Overton (6) and the KJJJ-RM rely on a set of coordinates different from what is currently pending. All are close enough and have unobstructed line of site to the community involved. The KJJJ change is with the concurrence of the licensee.

Technical Proposal

Figures 1 to 11 are channel allocation studies for each of the proposals using whatever site is appropriate. The studies include the proposals contained in this counterproposal with a call sign of "MI-01 ... MI-11". A suffix of "D" indicates data is taken from CDBS data base and a suffix of "R" indicates that it is the reference point for the city of license. Each of the proposals are close enough to their respective city of license to provide a city grade signal (all but four use existing site or existing reference point). The following specific comments are provided:

Figure 1 - Ch. 289C3 demonstrates that the counterproposal submitted herein at Enterprise, UT (city reference point: 37-34-11 / 113-42-49), is Mutually Exclusive (MX) with the proposal in Doc 02-331 to allot Ch. 288C2 at Milford, UT (#2). In addition, it demonstrates that the other problems are solved by changing channels as demonstrated in Figures 3 & 3A. **This proposal results in a 1" local service.** The city of Enterprise has a population of 1,285 persons (2000 Census) and a 60 dBu from a maximum facility will encompass 3,350 persons.

Figure 2 - Ch. 282C2 uses the reference coordinates as published in the NPRM 02-331 for Milford, UT. It demonstrates that no other problems bar use of this alternate channel.

Figure 3 - Ch. 288C uses the licensed coordinates of KOAS at Dolan Springs, AZ. It demonstrates that the problems preventing allotment of this

alternate channel are solved by changing channels as demonstrated in Figures 4 & 9. This is a non-voluntary change of channel requiring a show cause order.

Figure 3A - Ch. 288C uses the application coordinates of KOAS at Dolan Springs, AZ. It demonstrates that the problems preventing allotment of this alternate channel are solved by changing channels as demonstrated in Figure 4. This is a non-voluntary change of channel requiring a show cause order.

Figure 4 - Ch. 292C3 uses a new special C3 (upgrade) reference coordinates for Cal-Nav-Ari, NV (34-08-53 / 114-56-57). It demonstrates that the problems preventing allotment of this alternate channel are solved by changing channels as demonstrated in Figures 3, 3A & 5. The city of license is located 17.15 km on a bearing of N-26-E from this proposed site. City grade service is possible given that a C3 has a city grade radius of 23 km. Line of sight from the reference point to the city exists. The population encompassed within a maximum 60 dBu signal of a C3 facility is 64,760 persons. This is an increase of 63,075 persons over the existing Class A allotment.

Figure 5 - Ch. 294C uses the licensed coordinates of KSNE at Las Vegas, NV. It demonstrates that the problems preventing allotment of this alternate channel are solved by changing channels as demonstrated in Figure 6. This is a non-voluntary change of channel requiring a show cause order.

Figure 6 - Ch. 272C1 uses a new special C1 reference coordinates for Overton, NV (36-46-30 / 114-18-30). It demonstrates that the problems preventing allotment of this alternate channel are solved by changing channels as demonstrated in Figures 7 & 8. The city of license is located 28.51 km on a bearing of N-205-E from this proposed site. City grade service is possible given that a C1 has a city grade radius of 50 km. Line of sight from the reference point to the city exists.

Figure 7 - Ch. 290C uses new special C reference coordinates for the pending RM by KJJJ to re-locate its facility to Pahrump, NV (35-57-57 / 115-30-03). This is an existing electronic site. Use of the new site and new channel are with the concurrence of KJJJ. This channel study demonstrates that the problems preventing allotment of this alternate channel are solved by changing channels as demonstrated in Figures 3, 3A, 5, 10 & 11. The city of license is located 51 km on a bearing of N-302-E from this proposed site. City grade service is possible given that a Class C has a city grade radius of 67 km. Line of sight from the reference point to the city exists. **KJJJ's consent to the change sites** is based upon allotment at these coordinates since this is an established electronic site.

The new site proposed by KJJJ for Pahrump is located 197 km from its licensed 272C2 site and 167 km from its 272B CP at Lake Havasu City, AZ. In addition, it is located 66.45 km from the site initially proposed in its RM for Pahrump. The required co-channel spacing is 249 km to the C2 Lic, 167 km to the Class B CP and 290 km to the Pahrump Class C RM and, thus

is short spaced with itself if it were not for the non-adjacent channel change proposed as a counterproposal herein. Therefore, the proposed mutually exclusive substitution is in accordance with Section 1.420(i).

Based upon the coordinates proposed herein and maximum equivalent Class C facilities KJJJ will encompass 1,376,400 persons within its 60 dBu contour. KJJJ's licensed facility currently encompasses 110,920 persons and the original Pahump RM encompasses 887,895 persons within its 60 dBu contour. Thus, the Pahump proposal serves 11.4 times more people (1,265,480 more) than does the current license.

Figure 8 - Ch. 294C2 uses the reference coordinates as contained in the Doc 02-14 for Parowan, UT. It demonstrates that no other problems bar its use.

Figure 9 - Ch. 292C3 uses the reference coordinates as contained in the Doc 02-12 for Peach Springs, **AZ**. It demonstrates that the problems preventing allotment of this alternate channel are solved by changing channels as demonstrated in Figures 3 & 5.

Figure 10 - Ch. 296C1 uses the reference coordinates as contained in the Doc 01-135 for Amargosa Valley, NV. It demonstrates that the problems preventing allotment of this alternate channel are solved by changing channels as demonstrated in Figure 6. Substitution of 296C1 is only necessary if Doc 01-135 substitutes

291C1 for the existing operation of KPUP on 266C1

Figure 11 - Ch. 272A uses a Vacant allotment reference coordinates for Tecopa, **CA**. It demonstrates that the problems preventing allotment of this alternate channel are solved by changing channels as demonstrated in Figure 7

* * * * *

Craig Morris believes that the proposed changes to the table of allotments will result in a preferential arrangement of allotments. The creation of one new allotment (Enterprise, UT) and the upgrade of a vacant allotment (Cal-Nev-Ari, NV) serves the public interest by providing additional service to 66,425 persons. This does not include the population benefit of the change by KJJJ which is already pending (1,265,480 persons). If granted, Morris will file a CP application for operation on 289C3 at Enterprise, UT and for 292C3 at Cal-Nev-Ari, NV and will see that other licensees similarly file as needed and will reimburse other non-consenting parties for reasonable expenses.

/s/ John J. Mullaney

John J. Mullaney, Consulting Engineer

December 14, 2002

Craig Morris
December 2002

REFERENCE
31 34 11 N
113 42 49 W

CLASS = C3
Current Spacings
Channel 289 - 105.7 MHz

DISPLAY DATES
DATA 12-13-02
SEARCH 12-14-02

Call	Channel	Location	Dist	Azi	FCC	Margin
MI-01	289C3	Enterprise-New	UT 0.00	0.0	City Reference	
KOAS.A APP	289C	Dolan Springs	AZ 199.81	195.8	236.5	-36.69 03A
KOAS LIC	289C	Dolan Springs	AZ 215.43	194.2	236.5	-17.07 03
RADD ADD	288C2	Milford	UT 110.69	33.6	116.5	-5.81 02 RM
RADD ADD	291C2	Caliente	NV 70.61	274.3	55.5	15.11
MI-03A	288C	Dolan Springs-KOAS	AZ 195.81	195.8	175.5	24.31
RADD ADD	291C2	St. George	UT 82.61	166.2	55.5	27.11
KXBN LIC	235C1	Cedar City	UT 57.94	67.9	23.5	34.44
MI-03	288C	Dolan Springs-KOAS	AZ 219.43	154.2	175.5	43.93

The Proposed Allotment at Enterprise. UT is MX with MB Doc 02-331 Milford, UT

Move Milford to Ch. 282C2 see Figure 2 MB Doc 02-331
Move KOAS Lic to Ch. 288C see Figure 3
Move KOAS App to Ch. 288C see Figure 3A

CHANNEL STUDY - 289C3 - ADD RM ENTERPRISE, UT

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FIGURE 1
DECEMBER 2002

REFERENCE	Craig Morris	DISPLAY DATES
38 23 49 N	December 2002	DATA 12-13-02
113 00 36 W	CLASS = C2	SEARCH 12-14-02
-----	Current Spacings	
	- Channel 282 - 104.3 MHz	---

Call	Channel	Location	Dist	Azi	FCC	Margin
MI-02	282C2	Milford-ALT	UT 0.00	0.0	Pending RM	Reference
KSOPFM CP	282C	Salt Lake City	UT 260.63	15.2	248.5	12.13
KSOPFM LIC	282C	Salt Lake City	UT 260.66	15.2	248.5	12.16
ALLO VAC	280C	Toquerville	UT 129.19	190.8	104.5	24.69
KCYQ LIC	229C	Richfield	UT 84.57	78.7	34.5	50.07

This eliminates conflict with Enterprise, UT

CHANNEL STUDY - 282C2 - MILFORD, UT - Alternate

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FIGURE 2
DECEMBER 2002

Craig Morris
December 2002

REFERENCE
35 39 07 N
114 18 42 W

CLASS = C
Current Spacings

DISPLAY DATES
DATA 12-13-02
SEARCH 12-14-02

----- Channel 288 - 105.5 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
MI-03	288C	Dolan Springs-KOAS	AZ 0.00	0.0	Lic Site	
MI-03A	288C	Dolan Springs-KOAS	AZ 20.47	358.2	App Site	
KOAS LIC	289C	Dolan Springs	AZ 0.00	0.0	240.5	-240.50 03 Self
KOAS.A APP	289C	Dolan Springs	AZ 20.47	358.2	240.5	-220.03 03A Self
ALLO VAC	285A	Cal-nev-ari	NV 64.59	231.2	94.5	-29.91 04
RADD ADD	285C3	Peach Springs	AZ 90.01	98.6	95.5	-5.49 09
MI-07	290C	Pahrump-KJJJ	NV 112.98	288.4	104.5	8.48
KRRN LIC	286C2	La5 Vegas	NV 121.14	309.0	104.5	16.64
KZAL LIC	288A	Desert Center	CA 244.96	205.4	225.5	19.46
KFLGFM LIC	234C	Kingman	AZ 71.41	147.2	47.5	23.91
RDEL DEL	234C	Kingman	AZ 71.41	147.2	47.5	23.91
KHOVFM LIC	287C2	Wickenburg	AZ 215.62	138.4	187.5	28.12

Move KOAS Lic to Ch. 288C	see Figure 3	Self
Move KOAS App to Ch. 288C	see Figure 3A	Self
Move Vacant to Ch. 292C3	see Figure 4	Upgrade - Cal-Nev-Ari
Move Add to Ch. 292C3	see Figure 9	Peach Springs

Ch. 288C works at both Lic & App site of KOAS

CHANNEL STUDY - 288C - DOLAN SPRINGS, AZ - KOAS Lic

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FIGURE 3
DECEMBER 2002

Craig Morris
December 2002

REFERENCE
35 50 11 N
114 19 08 W

CLASS = C
Current Spacings
----- Channel 288 - 105.5 MHz -----

DISPLAY DATES
DATA 12-13-02
SEARCH 12-14-02

Call	Channel	Location	Dist	Azi	FCC	Margin
MI-03A	288C	Dolan Springs-KOAS	AZ 0.00	0.0	App Site	
MI-03	288C	Dolan Springs-KOAS	AZ 20.47	178.2	Lic Site	
KOAS.A APP	289C	Dolan Springs	AZ 0.00	0.0	240.5	-240.50 03A Self
KOAS LIC	289C	Dolan springs	AZ 20.47	178.2	240.5	-220.03 03 Self
ALLO VAC	285A	Cal-nev-ar1	NV 78.61	219.1	94.5	-15.89 04
RADD ADD	285C3	Peach Springs	AZ 95.83	110.8	95.5	0.33
MI-07	290C	Fahrump-KJJJ	NV 107.67	278.0	104.5	3.17
KRRN LIC	286C2	Las Vegas	NV 108.89	300.8	104.5	4.39
MI-01	289C3	Enterprise-New	UT 199.81	15.5	175.5	24.31
RADD ADD	291C2	St. George	UT 134.52	33.2	104.5	30.02

Move KOAS Lic to Ch. 288C see Figure 3 Self
Move KOAS App to Ch. 288C see Figure 3A Self
Move Vacant to Ch. 292C3 see Figure 4 Upgrade - Cal-Nev-Ari

Ch. 288C works at both Lic & App site of KOAS

CHANNEL STUDY - 288C - DOLAN SPRINGS, AZ - KOAS App

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FIGURE 3A
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